



1616
Atty. Dkt. No. ABI1460-2
(071243-1301)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Desai and Soon-Shiong
Title: NOVEL FORMULATIONS OF
PHARMACOLOGICAL AGENTS,
METHODS FOR THE
PREPARATION THEREOF AND
METHODS FOR THE USE
THEREOF

Appl. No.: 09/446,783

Filing Date: 05/16/2002

Examiner: HARTLEY

Art Unit: 1616

<p>CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below.</p> <p>Stephen E. Reiter (Printed Name)</p> <p><i>Stephen E. Reiter</i> (Signature)</p> <p>12/23/04 (Date of Deposit)</p>

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop Amendment-IDS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of the documents recently cited by the U.S. PTO in related application Serial Nos. 10/345,031 filed January 14, 2003; 09/847,945, filed May 2, 2001; 09/628,387 filed August 1, 2000; and 09/628,389 filed August 1, 2000.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

12/30/2004 WASFAW1 00000030 09446783

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TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(c), before the mailing date of either a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application.

RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

FEE

A fee in connection with submission of an information disclosure statement under 37 CFR §1.97(c) in the amount of \$180.00 in accordance with 37 CFR §1.17(p) is attached.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

Date

12/23/04

FOLEY & LARDNER LLP
Customer Number: 30542
Telephone: (858) 847-6711
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By

Stephen E. L.

Stephen E. Reiter
Attorney for Applicant
Registration No. 31,192

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Sheet 1

(use as many sheets as necessary)

Sheet 1	of 1
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Application Number	09/446,783
Filing Date	05/16/2002
First Named Inventor	Desai
Group Art Unit	1616
Examiner Name	Hartley
Attorney Docket Number	ABI1460-2 (071243-1301)

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A1	6506405		Desai	01-14-2003	
	A2	5415869		Straubinger et al	05-16-1995	
	A3	5916596		Desai	06-29-1999	
	A4	6197349		Westesen	03-06-2001	

[illegible]

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	A5	Bartoli et al., "In vitro and in vivo antitumoral activity of free, and encapsulated taxol." Journal of Microencapsulation, 7(2):191-197, April-June 1990	

Examiner Signature		Date Considered	
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IDS TRANSMITTAL

Sir:

Transmitted herewith for the above-identified application please find:

- (1) Information Disclosure Statement.
- (2) Completed Form PTO/SB/08
- (3) Copies of the cited references A1-A5
- (4) A check in the amount of \$180.00.
- (5) Postcard

In re Application of:
Desai and Soon-Shiong
Application No.: 09/446,783
Page 2

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